

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JONATHAN I. GEHRICH, ROBERT LUND,
COREY GOLDSTEIN, PAUL STEMPLER and
CARRIE COUSER, individually and on behalf
of all others similarly situated,

Plaintiffs,

v.

CHASE BANK USA, N.A., and JPMORGAN
CHASE BANK, N.A.,

Defendants.

NO. 1:12-CV-5510

Honorable Gary Feinerman

**CLASS COUNSEL'S MOTION FOR AN AWARD OF FEES AND APPROVAL OF
SERVICE AWARDS IN CONNECTION WITH THE SETTLEMENT**

Class Counsel respectfully request that the Court enter an order granting their request for an award of fees and costs in the amount of \$9,507,603, which amounts to one-third of the \$34,000,000 settlement fund after the \$1,000,000 Dedicated Cy Pres Distribution and notice and claims administration expenses of approximately \$4,477,191 are deducted. Class Counsel further request that the Court approve service awards for the five class representatives in the amount of \$1,500 each (\$7,500 total). In further support of this motion, Class Counsel state:

1. This is a Telephone Consumer Protection Act, 47 USC 227 case, alleging improper calls and text messages to cell phones.
2. The parties reached a settlement of this matter that created a \$34,000,000 non-reversionary settlement fund.
3. The Court preliminarily approved the settlement.

4. Class Counsel is entitled to be awarded a reasonable percentage of the settlement fund to compensate them for their services and for the out-of-pocket expenses they incurred litigating and settling this action.

5. Class Counsel's request of one-third of the settlement fund after notice expenses and the Dedicated *Cy Pres* Distribution are deducted is reasonable and complies with the Seventh Circuit's recent decisions in *Redman v. RadioShack Corp.*, 768 F.3d 622, 630 (7th Cir. 2014) and *Pearson v. NBTY, Inc.*, 772 F.3d 778, 781 (7th Cir. 2014).

6. Class Counsel's request for modest service awards for the class representatives is reasonable and in line with other service awards granted by courts in this district.

7. Class Counsel respectfully submit a memorandum in further support of this motion, which sets forth the factual and legal bases for Class Counsel's requests in detail.

WHEREFORE, Class Counsel respectfully request that the Court grant their motion and enter an order awarding them \$9,507,603 in fees and costs and awarding the class representatives \$1,500 each (\$7,500 total).

RESPECTFULLY SUBMITTED AND DATED this 14th day of August, 2015.

TERRELL MARSHALL DAUDT & WILLIE PLLC

By: /s/ Beth E. Terrell, Admitted Pro Hac Vice

Beth E. Terrell, *Admitted Pro Hac Vice*

Email: bterrell@tmdwlaw.com

Michael D. Daudt, *Admitted Pro Hac Vice*

Email: mdaudt@tmdwlaw.com

936 North 34th Street, Suite 300

Seattle, Washington 98103-8869

Telephone: (206) 816-6603

Facsimile: (206) 350-3528

Alexander H. Burke
Email: aburke@burkelawllc.com
BURKE LAW OFFICES, LLC
155 North Michigan Avenue, Suite 9020
Chicago, Illinois 60601
Telephone: (312) 729-5288
Facsimile: (312) 729-5289

Syed Ali Saeed, *Admitted Pro Hac Vice*
Email: ali@sllawfirm.com
SAEED & LITTLE, LLP
1433 North Meridian Street, Suite 202
Indianapolis, Indiana 46202
Telephone: (317) 614-5741
Facsimile: (888) 422-3151

Gayle M Blatt, *Admitted Pro Hac Vice*
Email: gmb@cglaw.com
CASEY, GERRY, SCHENK, FRANCAVILLA,
BLATT & PENFIELD LLP
110 Laurel Street
San Diego, California 92101-1406
Telephone: (619) 238-1811
Facsimile: (619) 544-9232

Mark D. Ankcorn
Email: mark@ankcorn.com
ANKCORN LAW FIRM, PC
11622 El Camino Real, Suite 100
San Diego, California 92130
Telephone: (619) 870-0600
Facsimile: (619) 684-3541

Joshua B Swigart, *Admitted Pro Hac Vice*
Email: josh@westcoastlitigation.com
HYDE AND SWIGART
411 Camino Del Rio South, Suite 301
San Diego, California 92108-3551
Telephone: (619) 233-7770
Facsimile: (619) 297-1022

Matthew M. Loker
Email: ml@kazlg.com
KAZEROUNI LAW GROUP APC
2700 North Main Street Suite 1000
Santa Ana, California 92705
Telephone: (800) 400-6808
Facsimile: (800) 520-5523

Seyed Abbas Kazerounian, *Admitted Pro Hac Vice*
Email: ak@kazlg.com
KAZEROUNI LAW GROUP APC
245 Fischer Avenue, Suite D1
Costa Mesa, California 92626
Telephone: (800) 400-6808
Facsimile: (800) 520-5523

Todd M Friedman
Email: tfriedman@attorneysforconsumers.com
LAW OFFICES OF TODD M. FRIEDMAN PC
369 South Doheny Drive, Suite 415
Beverly Hills, California 90211
Telephone: (877) 206-4741
Facsimile: (866) 623-0228

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Beth E. Terrell, hereby certify:

1. On August 14, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kenneth Michael Kliebard
Email: kkliebard@morganlewis.com
Tedd Macrae Warden
Email: twarden@morganlewis.com
MORGAN LEWIS & BOCKIUS LLP
77 West Wacker Drive
Chicago, Illinois 60601-5094
Telephone: (312) 324-1774
Facsimile: (312) 324-1001

Julia B. Strickland
Email: jstrickland@stroock.com
Lisa M. Simonetti
Email: lsimonetti@stroock.com
Arjun P. Rao
Email: arao@stroock.com
Julieta Stepanyan
Email: jstepanyan@stroock.com
STROOCK & STROOCK & LAVAN LLP
2029 Century Park East Suite 1600
Los Angeles, California 90067-3086
Telephone: (310) 556-5800
Facsimile: (310) 556-5959

Attorneys for Defendants

Christopher Perez-Gurri, *Admitted Pro Hac Vice*
Email: chris@gpglawfirm.com
Alan G. Geffin, *Admitted Pro Hac Vice*
Email: alan@gpglawfirm.com
GPG LAW
101 NE 3rd Avenue, Suite 1110
Ft. Lauderdale, Florida 33301
Telephone: (954) 533-5530

Attorneys for Objector Tamiqueca Doyley

Norman T. Finkel, #6183246
Email: norm.finkel@sfnr.com
Daniel E. Beederman, #3121545
Email: daniel.beederman@sfnr.com
William R. Klein, #6185715
Email: bill.klein@sfnr.com
SCHOENBERG, FINKEL, NEWMAN & ROSENBERG, LLC
222 S. Riverside Plaza, Suite 2100
Chicago, Illinois 60606
Telephone: (312) 648-2300
Facsimile: (312) 648-1212

Attorneys for Objector Tamiqueca Doyley

Daniel M. Samson, *Admitted Pro Hac Vice*
Email: dan@samsonappellatelaw.com
SAMSON APPELLATE LAW
201 S. Biscayne Boulevard, Suite 2700
Miami, Florida 33131
Telephone: (305) 341-3055
Facsimile: (305) 379-3428

Attorneys for Objector Tamiqueca Doyley

C. Jeffrey Thut, #6188219
Email: jeff@roachjohnstonthut.com
ROACH, JOLMSTON & THUT
516 N. Milwaukee Avenue
Libertyville, Illinois 60048
Telephone: (847) 549-0600
Facsimile: (847) 549-0312

Attorneys for Objector Kristina Lopez

Jonathan E. Fortman
Email: jef@fortmanlaw.com
LAW OFFICE OF JONATHAN E. FORTMAN, LLC
250 St. Catherine Street
Florissant, Missouri 63031
Telephone: (314) 522-2312
Facsimile: (314) 524-1519

Attorneys for Objector Steve Purgahn

Steve A. Miller
Email: sampc01@gmail.com
STEVE A. MILLER, PC
1625 Larimer Street, No. 2905
Denver, Colorado 80202
Telephone: (303) 892-9933
Facsimile: (303) 892-8925

Attorneys for Objector Steve Purgahn

John C. Kress
Email: jckress@thekresslawfirm.com
THE KRESS LAW FIRM, LLC
4247 S. Grand Blvd
St. Louis, Missouri 63111
Telephone: (314) 631-3883
Facsimile: (314) 332-1534

Attorneys for Objector Steve Purgahn

Joseph Darrell Palmer
Email: darrell.palmer@palmerlegalteam.com
LAW OFFICES OF DARRELL PALMER PC
2244 Faraday Avenue, Suite 121
Carlsbad, California 92008
Telephone: (858) 215-4064
Facsimile: (866) 583-8115

Attorneys for Objectors Dawn Weaver and Susan House

2. I further certify that on August 14, 2015, I mailed by United States Postal Service the foregoing to the following non CM/ECF participants:

David Schlagel
c/o John J. Pentz
19 Widow Rites Lane
Sudbury, Massachusetts 01776

Attorneys for Objector David Schlagel

Michael Narkin
[REDACTED]
Eugene, Oregon 97405

Objector, Appearing Pro Se

Sam P. Cannata
[REDACTED]
Cleveland, Ohio 44022

Objector, Appearing Pro Se

Cindy Bray
[REDACTED]
Springfield, Missouri 65804-3336

Objector, Appearing Pro Se

Nicholas Owen Gunden
ORVANDI PROPERTY OR LLC
[REDACTED]
Walnut, California 91789

Objector, Appearing Pro Se

David H. Pierce
DAVID H. PIERCE & ASSOCIATES, PC
[REDACTED]
Sherman Oaks, California 91403-3501

Objector, Appearing Pro Se

Ken Murphy
[REDACTED]
Denver, Colorado 80210

Objector, Appearing Pro Se

Maritza Cabrera
[REDACTED]

Miami, Florida 33114-5395

Objector, Appearing Pro Se

David D. Dishman
[REDACTED]

Swampscott, Massachusetts 01907

Objector, Appearing Pro Se

DATED this 14th day of August, 2015.

TERRELL MARSHALL DAUDT & WILLIE PLLC

By: /s/ Beth E. Terrell, Admitted Pro Hac Vice

Beth E. Terrell, *Admitted Pro Hac Vice*

Email: bterrell@tmdwlaw.com

936 North 34th Street, Suite 300

Seattle, Washington 98103-8869

Attorneys for Plaintiffs